

From: Fullmer, Boyce
To: Microsoft ATR
Date: 1/23/02 11:12am
Subject: Microsoft Settlement

I have reviewed the documents related to the settlement of the Microsoft antitrust case and have to comment.

I am deeply disturbed that the revised "Proposed Final Judgement" will be completely ineffective as it currently exists. The definitions therein are often so restrictive that the judgement would eliminate any benefit to those it harmed the most. It currently ignores the most significant opponent Microsoft has which is the not-for-profit organizations, which include the Linux development coalitions. It also contains several loopholes that Microsoft is already planning to use. But most of all it is too narrow that it only restricts anti-competitive activities dealing with the operating system, browser, and middleware thereby allowing them to assert their illegal monopolistic influence in several other emerging markets.

If I could enact a remedy, I would invalidate all their patents and have them publish the source code for every product they have produced. I realize this is a bit draconian and would never happen, but it would be much more effective in reducing the entry into Microsoft dominated fields by competing interests.

Please do give Microsoft additional opportunities to abuse their monopoly under the guise of a settlement to "unfetter a market from anticompetitive conduct".

Thank you for your efforts in doing what is best for all concerned.

Sincerely,

Boyce Fullmer
Systems Architect